

IAP7 Rec'd PCT/PTO 31 JUL 2006  
PTO/SB/21 (08-03)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/549,445
	Filing Date	September 14, 2005
	First Named Inventor	DeFrees, Shawn
	Art Unit	1613
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	40853-01-5133-US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply (Preliminary) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"><li>• Return postcard</li><li>• Response to Notification of Missing Requirements Under 35 USC 371</li><li>• Copy of Notice</li></ul>
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 50-0310.
<b>A FEE TRANSMITTAL AUTHORIZING THE LATE OATH FEE AND EXTENSION OF TIME WAS FILED WITH A RESPONSE TO THE MISSING PARTS ON 7/24/06 UNDER SEPARATE COVER</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	Morgan, Lewis & Bockius LLP Ada Wong	Reg. No. 55,740
Signature		
Date	July 24, 2006	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Kathryn A. Degliantoni		
Signature		Date	July 24, 2006



I hereby certify that this correspondence is being deposited with the United States Postal Service in first class mail in an envelope addressed to:

**PATENT**  
Attorney Docket No.: 40853-01-5133-US  
Client Ref. No.: NEO00262US/371

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On July 24, 2006

MORGAN, LEWIS and BOCKIUS LLP

By: Anthony Pegler

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Shawn DeFrees, *et al.*

Application No.: 10/549,445

Filed: September 14, 2005

Int'l. Application No.: PCT/US2004/07931

Filed: March 15, 2004

For: BRANCHED WATER-SOLUBLE  
POLYMERS AND THEIR CONJUGATES

Customer No.: 43850

Confirmation No.: 1342

Examiner: Not Yet Assigned

Technology Center/Art Unit: 1623

RESPONSE TO NOTIFICATION OF  
MISSING REQUIREMENTS UNDER 35  
U.S.C. 371

MAIL STOP MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**SEQUENCE LISTING**

The Notification of Missing Requirements alleged that a Sequence Listing must be provided in order to comply with 37 CFR 1.821-1.825. However, based on Applicant's review of the application, no amino acid or nucleic acid sequences are present in the application as filed. In the remote chance that the request for a Sequence Listing was triggered by the reference to various accession nos. (pg. 74 and 79 of the specification), Applicant was informed by Mr. Mark Spencer of the STIC Systems branch (USPTO) today that no sequence listings are necessary where an application lacks recitation of specific sequences and no accession numbers are

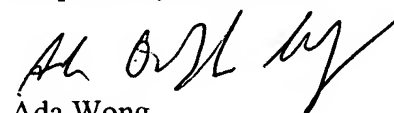
Appl. No. 10/549,445  
Response dated July 24, 2006  
Reply to Notice to File Missing Parts dated  
April 24, 2006

PATENT

referenced anywhere in the claims. As this is the case, Applicant believes the application to be in full compliance with 37 CFR 1.821-1.825.

The Commissioner is hereby authorized to charge any additional or credit any overpayment to Deposit Account No. 50-0310 (order no. 040853-01-5133US).

Respectfully submitted,



Ada Wong  
Reg. No. 55,740

for Jeffry S. Mann  
Reg. No. 42,837

MORGAN, LEWIS & BOCKIUS, LLP  
2 Palo Alto Square  
3000 El Camino Real, Suite 700  
Palo Alto, California 94306  
Telephone: (415) 442-1119  
Facsimile: (650) 843-4001  
E-Mail: jmann@morganlewis.com



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,445 /	Shawn Defrees /	40853-5133US /

**DOCKETED**

RECEIVED DOCKETING

APR 24 2006  
MORGAN LEWIS  
PALO ALTO OFFICE

43850  
MORGAN, LEWIS & BOCKIUS LLP (SF)  
2 PALO ALTO SQUARE  
3000 El Camino Real, Suite 700  
PALO ALTO, CA 94306

INTERNATIONAL APPLICATION NO.

PCT/US04/07931

I.A. FILING DATE PRIORITY DATE

03/15/2004

03/14/2003

CONFIRMATION NO. 1342

OATH/DECL + FEES Due: 24 JUN 06 371 FORMALITIES LETTER

OATH/DECL + FEES Final: 24 NOV 06



\*OC000000018597754\*

Date Mailed: 04/24/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/14/2005
- Copy of the International Search Report filed on 10/20/2005
- Copy of IPE Report filed on 10/20/2005
- U.S. Basic National Fees filed on 09/14/2005
- Priority Documents filed on 09/14/2005
- Specification filed on 09/14/2005
- Claims filed on 09/14/2005
- Abstracts filed on 09/14/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.

10/549,445

INTERNATIONAL APPLICATION NO.

PCT/US04/07931

ATTY. DOCKET NO.

40853-5133US

FORM PCT/DO/EO/905 (371 Formalities Notice)